



RECORD OF EXECUTIVE DECISIONS

The following is a record of the decisions taken at the meeting of **CABINET** on **WEDNESDAY 12 OCTOBER 2011**.

These decisions will come into force and may be implemented from **24 October 2011** unless the Overview and Scrutiny Management Committee or its Committees object to any such decision and call it in.

NHS Reforms

Summary

The Cabinet considered a joint report of the Corporate Director of Adults, Wellbeing and Health, and Corporate Director, Children and Young People's Services that provided an update on recent developments in relation to NHS reforms with particular reference to policy developments relating to public health and the implications for Local Authorities.

The NHS White Paper 'Equity and Excellence: Liberating the NHS', published by the Department of Health on 12th July 2010, and subsequent Health and Social Care Bill set out proposals for NHS reform. Included within these reforms is the requirement for all upper tier Local Authorities to establish Health and Wellbeing Boards by April 2013.

On 30th November 2010 the Department of Health published 'Healthy Lives, Healthy People: Our Strategy for Public Health in England'. This White Paper set out the Government's long-term vision for the future of public health in England.

In addition to consulting on several aspects of the Public Health White Paper the Government also consulted on:

- Funding and Commissioning Routes for Public Health
- Proposals for a Public Health Outcomes Framework

The Government published a summary of responses on 27th July 2011.

'Healthy Lives, Healthy People: Update and Way Forward' was released on 14th July 2011 by the Department of Health. This document sets out the progress which has been made in developing the Government's vision for public health and identifies those issues where further development is needed. It reflects the responses received during the public health consultation exercise and the Government Listening Exercise on the Health and Social Care Bill. The Health and Social Care Bill was introduced to Parliament on 19th January 2011. Following the Government's listening

exercise on the Health and Social Care Bill amendments have been made to the Bill. The Bill will now be considered by the House of Lords.

The Durham County Council NHS White Paper Project Board is in the process of implementing a programme of transition to ensure the effective transfer of functions related to statutory requirements.

Progress to date includes the following:

- Development of a Joint Communications Strategy.
- A Joint Consultation and Engagement Strategy is being developed.
- Establishment of the County Durham Shadow Health and Wellbeing Board.
- Scoping work on new public health responsibilities for Local Authorities.
- Mapping of health improvement activity in the Local Authority.
- Responding to Government Consultation.
- Participation in emerging Clinical Commissioning Groups arrangements.
- Participation in GP Pathfinder projects.

Future work will include:

- Review of Joint Commissioning arrangements in the context of legislative reforms.
- Preparation work for the Joint Strategic Needs Assessment and Joint Health and Wellbeing Strategy.
- Transfer of Public Health responsibilities.
- Scoping model for Public Health commissioning.

Decision

The Cabinet:-

- Recognised the significant responsibilities to be transferred to Local Authorities in respect of Public Health.
- Endorsed the progress made in establishing the County Durham Shadow Health and Wellbeing Board.
- Noted that Adults, Wellbeing and Health Overview and Scrutiny Committee will receive update reports regarding NHS reforms.
- Noted that further reports regarding NHS reforms will continue to be provided to Cabinet on a quarterly basis.

Anti Social Behaviour Strategy

Summary

The Cabinet considered a report of the Corporate Director, Adults, Wellbeing and Health that sought approval of the Anti Social Behaviour Strategy 2011/14.

The Safe Durham Partnership Plan 2011-14 identifies Anti Social Behaviour (ASB) as a key priority for the Safe Durham Partnership (SDP). The ASB Delivery Group of the SDP provides strategic co-ordination of the anti social behaviour agenda across County Durham. The Delivery Group has developed an ASB Strategy which has been informed by consultation with a wide range of partner agencies.

The Strategy outlines the Partnership's approach to tackling Anti Social Behaviour through early intervention, education and preventative measures. Where necessary a rigorous enforcement approach will be adopted to reduce the harmful effects caused to individuals and local communities.

An Action Plan has been developed to support the implementation of the strategy. Key actions include:

- Development of 'citizen focussed' services tailored to individual needs.
- More joint working at a local level, including restructuring and co-location where practicable.
- Development and implementation of an education and enforcement programme in schools, utilising a range of tools to challenge anti social behaviour.
- To continue with, and improve, our 'Not in My Neighbourhood' weeks of action.
- Ensuring our staff are properly trained and equipped and understand both the nature and causes of ASB.
- Developing a greater understanding of what influences different communities perceptions of ASB.

Decision

The Cabinet approved the Anti Social Behaviour Strategy.

Draft National Planning Policy Framework

Summary

The Cabinet considered a report of the Corporate Director, Regeneration and Economic Development that summarised and commented upon the draft National Planning Policy Framework (NPPF) which has been published for consultation.

The NPPF represents a fundamental reassessment of both the overall direction and the detail of the planning system in England, intended to support economic recovery and play a key role in delivering the government's localism agenda. The draft NPPF is the outcome of a review of planning policy, designed to consolidate policy statements, circulars and guidance documents into a single concise Framework. The draft NPPF has been the subject of significant and prolonged public debate over the last month, the outcome of which is still unclear. The consultation period is open until 17 October.

The overriding message from the Framework is that planning authorities should plan positively for new development, and approve all individual proposals wherever possible.

The draft NPPF represents a profound shift in the way that the planning system works and presents some real challenges for all those involved in designing and planning new development. The controversial nature of key proposals and in particular, the 'presumption in favour of sustainable development' has generated

significant public debate nationally. Whilst the Government's preferred 'direction of travel' is clear, there are many unanswered questions as to how the proposals will work in practice and whether the final framework will differ significantly from the draft now available for consultation.

Whilst the broad concept of a slimmer National Planning Policy Framework and the scope to develop a more locally relevant policy context for County Durham should be welcomed, serious concerns regarding the scope of the draft document remain.

Decision

The Cabinet agreed that the key issues outlined in the report form the basis of the Council's formal response to the draft National Planning Policy Framework.

Education Capital: The Priority School Building Programme

Summary

The Cabinet considered a report of the Corporate Director, Children and Young People's Services that provided an update about Education Capital Funding and the new Priority School Building Programme (PSBP) announced on 19 July 2011 which is intended to address those schools in the worst condition.

In July 2010 the Building Schools for the Future (BSF) Programme was stopped and the Government launched a comprehensive review of all capital investment funded by DfE. The review's findings and recommendations were published in April 2011. The DfE is now consulting on these and responses are to be returned by 11 October 2011. CYPS will submit a response on behalf of the LA.

In December 2010, the Secretary of State announced details of School Capital Grant Allocations for Local Authorities for 2011-12. Durham County Council was allocated £3.8m Basic Need Funding (for additional school places) and £9.8m for Capital Maintenance of Schools. £13.6m in total. The Secretary of State made clear that allocations for 2012-13 until 2014-15 would be informed by the outcome of the Capital Review (April 2011) but he stated that he expects funding available for Basic Need and Capital Maintenance of Schools to be roughly in line with the funding for 2011-12.

On this basis a report was submitted to Cabinet on 13 July 2011 setting out a proposed 4 year plan for investment in schools. Plans are being developed for the Spennymoor and Elemore Hall School Projects using the 2011-12 allocation.

Written confirmation has still to come from DfE about exact amounts of grant funding being allocated from 2012-2015 (this is expected in December 2011), but an announcement was made on 19 July 2011 about the new Priority School Building Programme that is to be introduced nationally. The PSBP will be financed via PFI and is completely separate from grant funding mentioned above.

The programme is available to all publically funded schools and it is envisaged that in total it could assist between 100 to 300 schools nationally including a mixture of primary, secondary, and special schools along with sixth form colleges and

alternative provision. In year one it is expected that between 50 -60 schools will receive investment across the country with the first schools scheduled to open in the 2014/15 academic year. To take the opportunity of accessing funding through this programme applications need to be submitted to DfE by 14 October 2011.

Individual Schools, Academies and Local Authorities are all eligible to apply for funding. DfE expects LA's to submit applications on behalf of all maintained schools (including VA, VC and Foundation Schools) and Academies to submit their own application. The target date for informing applicants of the outcome of their applications is December 2011.

There is a substantial piece of data collection and analysis for the LA to prepare in a limited time frame and careful consideration will have to be given to the number of applications to be submitted and the prioritisation process used so that we can demonstrate to both the DfE and schools our decisions and methods for inclusion into the programme.

As the programme is likely to cover only 100-300 schools nationally, a realistic number of applications to submit from the LA is four. Given existing knowledge about schools, the following are those in the worst condition, listed in priority order:

1. Seaham School of Technology
2. Durham Trinity School
3. West Cornforth Primary School
4. St Joseph's RCVA Primary School, Coundon

These schools were the highest priorities for new build via the BSF and Primary Capital Programmes until they were stopped in July 2010. However, any application would need to be supported with up to date condition data that demonstrates these schools are the highest priorities.

By the end of December 2011, we should know whether these bids have been successful or not. This is at the same time we should hear about further capital funding that is to be allocated to Durham County Council for years 2012-2015. If this is in line with allocations for 2011-12, we could receive about £41m over three years. The new school for Seaham School of Technology would be the highest priority to be funded from this grant allocation if funding through the PSBP does not materialise.

Decision

The Cabinet:

- (a) gave approval for CYPS to submit a bid to DfE for funding under the PSBP and;
- (b) taking account of the priority order, as detailed, agreed that these schools should be included in the bid.

Decision made in Part B of the meeting- report contains exempt or confidential information

Dissolution of Charity known as the 'Spectrum Centre' and transfer of its assets to 'SLAM'

Summary

The Cabinet considered a report of the Corporate Director, Resources concerning the Dissolution of a Charity.

Decision

That the recommendations in the report be approved.

Colette Longbottom
Head of Legal and Democratic Services
14 October 2011